

Remarks

Entry of the above-noted amendments, reconsideration of the application, and allowance of all claims pending are respectfully requested. By this amendment, claims 1, 14, and 16 are amended, claims 11-12, 15, and 17 are canceled, and claims 22-24 are added. It is believed that the amendments made herein place the entire application in condition for allowance and/or better form for appeal. These amendments were not made earlier because the claims as previously submitted were believed to be in condition for allowance. Applicants submit no new search is required since all the claim language was previously recited. Claims 1-6 and 8-10, 13-14, 16, and 18-24 are pending.

Allowable Subject Matter:

Claims 12, 15, and 17 were objected to as being dependent upon a rejected base claim, but were indicated as allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Applicants gratefully acknowledge this indication of allowability, and have rewritten claim 1 to include the limitations of claim 12 and all intervening claims. Applicants have also rewritten claim 14 to include the limitations of claim 15 and all intervening claims (none). Applicants have also rewritten claim 16 to include the limitations of claim 17 and all intervening claims (none). Therefore, Applicants respectfully request an indication of allowability for claims 1-6, 8-10, 13-14, 16, 18-21.

Claim Rejections - 35 U.S.C. §102:

Claims 1-6, 8-9, 11, 14, 16, and 18-20 are rejected under 35 U.S.C. §102(b) as being anticipated by Porter (U.S. Patent No. 5,963,618; "Porter"). However, the rejection is considered moot in view of the amendments herein of claims 1, 14, and 16.

In addition, new independent claim 22 presented herewith is believed neither anticipated nor obvious over Porter as follows.

It is well-settled that there is no anticipation unless (1) all the same elements are (2) found in exactly the same situation and (3) are united in the same way to (4) perform the identical function. Since each of the applied references is missing at least one element of each of applicants' independent claims, applicants respectfully submit that the claimed invention is not anticipated by either of the applied references, as further discussed below.

Applicants respectfully submit that the applied references, with or without combination, assuming, *arguendo*, that the combination of the applied references is proper, do not teach or suggest one or more elements of the claimed invention, as further discussed below.

For explanatory purposes, applicants discuss herein one or more differences between the applied references and the claimed invention with reference to one or more parts of the applied references. This discussion, however, is in no way meant to acquiesce in any characterization that one or more parts of the applied references correspond to the claimed invention.

CLAIM 22 AND CORRESPONDING DEPENDENT CLAIMS

Applicants respectfully submit that the applied references do not teach or suggest one or more elements of the claimed invention. A careful reading of the applied references fails to teach or suggest, for example, wherein the first voice mailbox comprises the address of the

location on the storage device, of the one or more storage devices, wherein the location on the storage device stores the voicemail message of the one or more voicemail messages; wherein the second voice mailbox comprises the address of the location on the storage device; wherein the first voice mailbox employs the address to access the voicemail message at the location on the storage device, wherein the second voice mailbox employs the address to access the voicemail message at the location on the storage device.

Porter (col. 11, lines 24-67) discloses a voice mail system component that has a database with a voice mailbox address for each subscriber coupled through the Internet:

The voice processing system then utilizes the identity of the called party to access database 525. In the preferred embodiment, the mailbox number is the same as a subscriber's direct dial extension number (for an international call). The full voice mail address includes not only the mailbox number, but also the Internet (IP) address of the voice mail machine on which the mailbox resides. The "send to email/voice mail address" fields will be described in more detail below. The "audio name" is a recording of a subscriber speaking their own name.

Once the intended recipient of the caller has been identified, and the information listed in Table 1 has been retrieved, the voice processing system 520 can play the audio name to the caller, and invite them to leave a message for the subscriber in standard fashion. Assuming that they do so, the voice processing system 520 records the message, and the caller now disconnects.

The voice processing system then utilises the information listed in Table 1 to determine how to process the recorded message. Assuming that the "Send to voice mail address" flag is set (as shown in Table 1), the received recorded message is packaged in the VPIM format described above, and then transmitted over the Internet 530 to the voice mail system identified in Table 1 for that subscriber. The receiving voice mail system processes the incoming message (eg into the correct audio format, and stripping out the header information), and inserts the voice mail message into the appropriate mailbox for the identified subscriber, using the custom server interface of DirectTalk/6000 in the preferred embodiment. The subscriber can then access the voice mail message from their mailbox in conventional fashion.

Porter discloses a voice processing system that upon receipt of an incoming message delivers the incoming message to the mailbox for the intended subscriber. The mailbox stores the message until the subscriber can access the message from the mailbox in a conventional fashion. There is no disclosure in Porter of the incoming message being stored in a shared storage component so that two different mailboxes can access a single copy of the message by using an address of the location in the storage component where the message is stored. If two different mailboxes needed access to the message, then the voice processing system of Porter would need to create two copies of the message and deliver one to each of the two mailboxes. Creating extra copies of the message uses up additional storage space.

Simply missing from Porter is any mention of the first voice mailbox comprises the address of the location on the storage device, of the one or more storage devices, wherein the location on the storage device stores the voicemail message of the one or more voicemail messages; wherein the second voice mailbox comprises the address of the location on the storage device; wherein the first voice mailbox employs the address to access the voicemail message at the location on the storage device, wherein the second voice mailbox employs the address to access the voicemail message at the location on the storage device.

So, Porter fails to satisfy at least one of applicants' claim limitations.

Claim Rejections - 35 U.S.C. §103:

Claims 1, 13-14, and 16 are rejected under U.S.C. §103(a) as being unpatentable over Chau, et al. (U.S. Patent No. 5,751,792; "Chau") in view of Shaffer, et al. (U.S. Patent No. 5,995,596; "Shaffer") in further view of Cannon (U.S. Patent No. 6,519,327; "Cannon"). Claims 10 and 21 are rejected under U.S.C. §103(a) as being unpatentable over Porter in view of

Finnigan, et al. (U.S. Patent No. 6,181,780; "Finnigan"). However, the rejection is considered moot in view of the amendments herein of claims 1, 14, and 16.

In addition, new independent claim 22 presented herewith is believed neither anticipated nor obvious over Porter as follows.

CLAIM 22 AND CORRESPONDING DEPENDENT CLAIMS

Chau (col. 1, lines 36-54) discloses making a subscriber's messages stored at a home mailbox at a home node available at a roaming mailbox at a roaming node:

The present invention is directed to a system and method for enabling a message service provider to make a subscriber's messages stored at a home mailbox at a home node available at a roaming mailbox at a roaming node. When a subscriber accesses the messaging system at a roaming node to obtain his/her messages, the system establishes a roaming mailbox at the roaming node, copies the messages from the home mailbox to the roaming mailbox, and connects the subscriber to the roaming mailbox while copying the messages. This message system can be configured to automatically program this dynamic roaming function so that the process is transparent to the subscriber, or the subscriber can pre-register with the message service to establish a roaming mailbox at a specific voice node ahead of time.

Messages can also be left for the subscriber by accessing any node in the messaging system which will transport the messages to the home mailbox at the home node as well as to any roaming mailbox that has been established at a roaming node.

Chau discloses a messaging system that allows access to messages from a roaming node. The messaging system establishes a roaming mailbox at the roaming node, copies the messages from the home mailbox to the roaming mailbox, and connects the subscriber to the roaming mailbox while copying the messages. There is no disclosure in Chau of the message being stored in a shared storage component so that the home and roaming mailboxes can access a single copy of the message by using an address of the location in the storage component where

the message is stored. If the roaming mailbox needs access to the message, then the messaging system of Chau would need to create two copies of the message and deliver one to the roaming mailboxes. Creating extra copies of the message uses up additional storage space.

Simply missing from Chau is any mention of the first voice mailbox comprises the address of the location on the storage device, of the one or more storage devices, wherein the location on the storage device stores the voicemail message of the one or more voicemail messages; wherein the second voice mailbox comprises the address of the location on the storage device; wherein the first voice mailbox employs the address to access the voicemail message at the location on the storage device, wherein the second voice mailbox employs the address to access the voicemail message at the location on the storage device.

So, Chau fails to satisfy at least one of applicants' claim limitations.

The shortcomings of Chau relative to certain elements of the claimed invention have been discussed above. The Office Action proposes a combination of Chau with Shaffer and Cannon. However, Shaffer and Cannon do not overcome the deficiency of Chau. Applicants respectfully submit that the proposed combination of Chau with Shaffer and Cannon fails to provide the required configuration, assuming, *arguendo*, that the combination of Chau with Shaffer and Cannon is proper.

Shaffer (col. 3, lines 22-34) discloses a system and method for coordinating multi-media messages across multiple systems:

[E]ach messaging system 5 generates a token for each message received at the user's mailbox(es), and then transfers the token to each of the other mailboxes. Token generation and transfer may occur immediately after reception of the message, or any predetermined time thereafter. The actual messages need not be transferred until it is known where the user is retrieving his messages (i.e., a predetermined time after the message has been received). The token comprises, for example, information

identifying the mailbox, the sender, and the time and date of the message. When the user accesses a particular mailbox, the mailbox controller reads the presence of the tokens and accesses the remote mailboxes for the messages.

Shaffer discloses a messaging system that transfers tokens to other mailboxes to indicate the presence of a message. The user may access a different mailbox and gain access to the message by transferring a copy of the message to the mailbox. There is no disclosure in Shaffer of the incoming message being stored in a shared storage component so that two different mailboxes can access a single copy of the message by using an address of the location in the storage component where the message is stored. If two different mailboxes needed access to the message, then the messaging system of Shaffer would need to create two copies of the message and deliver one to each of the two mailboxes. Creating extra copies of the message uses up additional storage space.

Simply missing from Shaffer is any mention of the first voice mailbox comprises the address of the location on the storage device, of the one or more storage devices, wherein the location on the storage device stores the voicemail message of the one or more voicemail messages; wherein the second voice mailbox comprises the address of the location on the storage device; wherein the first voice mailbox employs the address to access the voicemail message at the location on the storage device, wherein the second voice mailbox employs the address to access the voicemail message at the location on the storage device.

So, Shaffer fails to satisfy at least one of applicants' claim limitations.

Cannon (col. 3, lines 33-47) discloses a system and method for selectively retrieving voice-mail and electronic mail messages from a plurality of message storage devices residing on a telephony network and a data network:

The present invention retrieves voice-mail and e-mail messages from data network-based message storage device 14 in

the same manner that it retrieves voice-mail messages from telephony network-based message storage device 12. The only differences are that interrogation server 24 employs certain conventional Internet protocols such as Post Office Protocol and Internet Mail Access Protocol to retrieve messages from data network-based message storage device 14 and the following data network-based components are utilized instead of the indicated telephony network-based components to which they correspond: a computer 36 is utilized instead of telephone 34; and an Internet gateway 38 is utilized instead of VUI 32. System 10 can be used from any telephone or computer to retrieve messages from telephony network 16 or data network 18.

Cannon discloses a messaging system that retrieves voice-mail and e-mail messages from data network-based message storage device in the same manner that it retrieves voice-mail messages from telephony network-based message storage device. There is no disclosure in Cannon of the incoming message being stored in a shared storage component so that two different mailboxes can access a single copy of the message by using an address of the location in the storage component where the message is stored. If two different mailboxes needed access to the message, then the messaging system of Cannon would need to create two copies of the message and deliver one to each of the two mailboxes. Creating extra copies of the message uses up additional storage space.

Simply missing from Cannon is any mention of the first voice mailbox comprises the address of the location on the storage device, of the one or more storage devices, wherein the location on the storage device stores the voicemail message of the one or more voicemail messages; wherein the second voice mailbox comprises the address of the location on the storage device; wherein the first voice mailbox employs the address to access the voicemail message at the location on the storage device, wherein the second voice mailbox employs the address to access the voicemail message at the location on the storage device.

So, Cannon fails to satisfy at least one of applicants' claim limitations.

Chau, Shaffer, and Cannon all fail to meet at least one of applicants' claimed features. For example, there is no teaching or suggestion in Chau, Shaffer, or Cannon of the first voice mailbox comprises the address of the location on the storage device, of the one or more storage devices, wherein the location on the storage device stores the voicemail message of the one or more voicemail messages; wherein the second voice mailbox comprises the address of the location on the storage device; wherein the first voice mailbox employs the address to access the voicemail message at the location on the storage device, wherein the second voice mailbox employs the address to access the voicemail message at the location on the storage device.

Furthermore, the Office Action does not allege that the art of record provides any teaching, suggestion, or incentive for modifying Chau, Shaffer and/or Cannon to provide the claimed configuration. Applicants respectfully submit that these documents fail to provide the express teaching, suggestion, or incentive, and the claimed invention is thus patentable over the art of record.

The independent claims presented herewith are believed neither anticipated nor obvious over the art of the record. The corresponding dependent claims are believed allowable for the same reasons as the independent claims, as well as for their own additional characterizations.

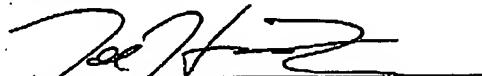
Withdrawal of the §§102 and 103 rejections is therefore respectfully requested.

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In view of the above amendments and remarks, allowance of all claims pending is respectfully requested. If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call applicants' attorney Robert J. Brill, Reg. No. 36,760, and applicants' undersigned agent.

Respectfully submitted,



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Dated: May 7, 2004

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